

1. Leave to proceed *in forma pauperis* is GRANTED.
2. Plaintiff, Samuel T. Ross, #DG-5341, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Ross, an initial partial filing fee of \$34.57 is assessed. The Superintendent or other appropriate official at SCI Somerset or at any other prison at which Ross may be incarcerated is directed to deduct \$34.57 from Ross's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 17-5012. In each succeeding month when the amount in Ross's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Ross's inmate

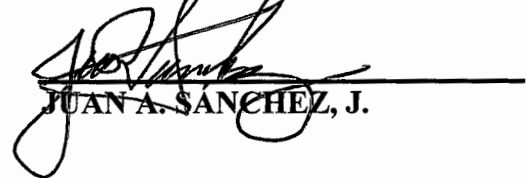
trust fund account until the fees are paid. Each payment shall reference the docket number for this case, Civil Action No. 17-5012.

3. The Clerk of Court is directed to send a copy of this Order to the Superintendent at SCI Somerset.

4. The Complaint is DISMISSED for failure to state a claim, pursuant to 28 U.S.C. §1915(e)(2)(B)(ii), in accordance with the Court's memorandum. Ross may not file an amended complaint in this matter.

5. The Clerk of Court shall CLOSE this case.

BY THE COURT:



JUAN A. SANCHEZ, J.